

REMARKS

Claims 1 to 10 are pending in this Application. Original claims 1 to 5, and 8 to 10 stand rejected under 35 USC §102(b) as being anticipated by UK Patent No. 1,242,298 to Jacobs. Reconsideration of this rejection is respectfully requested.

Each of Applicant's pending claims comprise means for providing a winning payout and a mechanical, movable bonus payout indicator. As defined by Webster's New Collegiate Dictionary, Copyright 1981, by G. & C. Merriam Co., a "BONUS" is "something given in addition to what is usual or strictly due" (see attached). With this definition in mind, careful reconsideration of the Jacobs' reference is in order.

Contrary to the position taken in the First Office Action that the Jacobs "slot machine further includes an electro-mechanical movable bonus pad indicator 21..." (emphasis added), the Jacobs patent merely discloses a second game. There is no extra payment guaranteed to a player who has won at the slot machine portion of the game. The Jacobs patent clearly states:

"If, on the other hand the "miss" symbol 24 is illuminated at the instant at which the player presses the trigger button 25, then the player has lost that game, the number of credits indicated on the credit

meter 22 is reduced by one and a sound representative of duck noises is emitted by the machine unit." (page 2, lines 84 to 91)

Furthermore, not only may a player lose while playing the second game disclosed in Jacobs but a player "must exercise a considerable amount of skill in order to record his "shot" in an instant when the hit light 34 is illuminated". (See page 3, lines 22 to 26.) Furthermore:

"If the reduction of the credits in the meter 30 should reduce the number remaining to zero then the player must insert further coins or tokens in order to continue playing in the second machine unit until he has used up the remaining number of shots allowed." (page 3, lines 68 to 74)

There is clearly no suggestion or teaching in the Jacobs reference to provide a player with a bonus. According to the Jacobs game, a player is merely provided with an opportunity to play a different game wherein he may win or lose depending upon his particular skill. An additional payment is not guaranteed. This is clearly not a "bonus" according to the accepted definition of this term. Therefore, Applicant respectfully requests that the rejection of Applicant's original claims under 35 USC §102(b) be withdrawn.

With respect to the drawing objections and the

rejection under 35 USC §112 of claims 6 and 7, Applicant respectfully requests that the requirement for additional drawing be held in abeyance until Applicant has received an indication of allowable subject matter.

With respect to the objection to the specification and the rejection of claims 6 and 7 under 35 USC §112, first paragraph, Applicant respectfully submits that those skilled in the art are familiar with games wherein a plurality of animals such as horses or dogs traverse a race course. It is commonly known in the art that such devices can be used to randomly select a winner. Such animal indicia typically stop at the end of a race track or upon completing a predetermined number of laps around a track. It is also commonly known to use one or more die in order to randomly choose a value. The exact details are well within the scope of those skilled in the art. Withdrawal of the rejection under 35 USC §112, first paragraph, is respectfully requested.

CONCLUSION

Applicant respectfully submits that all claims are now in condition for allowance. If the Examiner has any questions or comments relating to this application, he is respectfully invited

to contact Applicant's attorney at the phone number set forth below.

Respectfully submitted,

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